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# SENATE BILL No. 197

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** P.L.39-2001, SECTION 1; P.L.39-2001, SECTION 2.

**Synopsis:** Moratorium on methadone clinics. Extends the state imposed moratorium on methadone clinics until July 1, 2008. Sets the dates that reports from methadone providers are due to the division of mental health and addiction.

**Effective:** July 1, 2003.

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## Miller

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January 9, 2003, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## SENATE BILL No. 197

A BILL FOR AN ACT concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. P.L.39-2001, SECTION 1, IS AMENDED TO READ  
2 AS FOLLOWS [EFFECTIVE JULY 1, 2003]: SECTION 1. (a) As used  
3 in this SECTION, "division" refers to the division of mental health **and**  
4 **addiction**.  
5       (b) Except as provided in subsection (c), notwithstanding  
6 IC 12-23-1-6(4), IC 12-23-14-7, and 440 IAC 4.4-2-1(e), the division  
7 may not grant specific approval to be a new provider of any of the  
8 following:  
9           (1) Methadone.  
10          (2) Levo-alpha-cetylmethadol.  
11          (3) Levo-alpha-acetylmethadol.  
12          (4) Levomethadyl acetate.  
13          (5) LAAM.  
14       (c) The division may not grant specific approval to be a new  
15 provider of one (1) or more of the drugs listed under subsection (b)  
16 unless:  
17           (1) the drugs will be provided in a county with a population of  
18           more than forty thousand (40,000);



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(2) there are no other providers located in the county or in a county contiguous to the county where the provider will provide the drugs; and

(3) the provider supplies, in writing:

(A) a needs assessment for Indiana citizens under guidelines established by the division; and

(B) any other information required by the division.

(d) Except as provided in subsection (k), the division shall prepare a report by June 30 of each year concerning treatment offered by methadone providers that contains the following information:

(1) The number of methadone providers in the state.

(2) The number of patients on methadone during the previous year.

(3) The length of time each patient received methadone and the average length of time all patients received methadone.

(4) The cost of each patient's methadone treatment and the average cost of methadone treatment.

(5) The rehabilitation rate of patients who have undergone methadone treatment.

(6) The number of patients who have become addicted to methadone.

(7) The number of patients who have been rehabilitated and are no longer on methadone.

(8) The number of individuals, by geographic area, who are on a waiting list to receive methadone.

(9) Patient information as reported to a central registry created by the division.

(e) Each methadone provider in the state shall provide information requested by the division for the report under subsection (d). The information provided to the division may not reveal the specific identity of a patient.

(f) The information provided to the division under subsection (e) must be based on a calendar year.

(g) The information required under subsection (e) for calendar year 1998 must be submitted to the division not later than June 30, 1999. Subsequent information must be submitted to the division not later than:

(1) February 28, ~~2002~~, **29, 2004**, for calendar year ~~2001~~; and **2003**;

(2) February 28, ~~2003~~, **2005**, for calendar year ~~2002~~; **2004**;

**(3) February 28, 2006, for calendar year 2005;**

**(4) February 28, 2007, for calendar year 2006; and**

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**(5) February 29, 2008, for calendar year 2007.**

(h) Failure of a certified provider to submit the information required under subsection (e) may result in suspension or termination of the provider's certification.

(i) The division shall report to the governor and the legislative council the failure of a certified provider to provide information required by subsection (e).

(j) The division shall distribute the report prepared under subsection (d) to the governor and legislative council.

(k) The first report the division is required to prepare under subsection (d) is due not later than September 30, 1999.

(l) The division shall establish a central registry to receive the information required by subsection (d)(9).

(m) This SECTION expires July 1, ~~2003~~ **2008**.

SECTION 2. P.L.39-2001, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: SECTION 2. (a) Notwithstanding IC 35-48-3 and 856 IAC 2-3, the Indiana board of pharmacy may not register a new applicant who plans to distribute any of the following unless the applicant has been approved by the division of mental health under SECTION 1 of this act:

- (1) Methadone.
- (2) Levo-alpha-cetylmethadol.
- (3) Levo-alpha-acetylmethadol.
- (4) Levomethadyl acetate.
- (5) LAAM.

(b) This SECTION expires July 1, ~~2003~~ **2008**.

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